standards in lieu of the standards set forth for those model years in paragraph (j), and NHTSA will revise this section to reflect the different standards.

[43 FR 12014, Mar. 23, 1978]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 533.5 see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 533.6 Measurement and calculation procedures.

(a) Any reference to a class of light trucks manufactured by a manufacturer shall be deemed—

(1) To include all light trucks in that class manufactured by persons who control, are controlled by, or are under common control with, such manufacturer; and

(2) To exclude all light trucks in that class manufactured (within the meaning of paragraph (a)(1) of this section) during a model year by such manufacturer which are exported prior to the expiration of 30 days following the end of such model year.

(b) The fleet average fuel economy performance of all vehicles subject to Part 533 that are manufactured by a manufacturer in a model year shall be determined in accordance with procedures established by the Administrator of the Environmental Protection Agency under 49 U.S.C. 32904 and set forth in 40 CFR part 600. For model years 2017 to 2025, a manufacturer is eligible to increase the fuel economy performance of light trucks in accordance with procedures established by EPA set forth in 40 CFR part 600, including any adjustments to fuel economy EPA allows, such as for fuel consumption improvements related to air conditioning efficiency, off-cycle technologies, and hybridization and other performance-based technologies for full-size pickup trucks.

(c) The eligibility of a manufacturer to increase its fuel economy performance through use of an off-cycle technology requires an application request made to EPA in accordance with 40 CFR Part 86.1869–12 and an approval granted by EPA made in consultation with NHTSA. In order to expedite NHTSA's consultation with EPA, a manufacturer's application as part of the off-cycle credit approval process under 40 CFR 86.1869–12(b) or 40 CFR 86.1869–12(c) shall also be submitted to NHTSA at the same time if the manufacturer is seeking off-cycle fuel economy improvement values under the CAFE program for those technologies. For off-cycle technologies which are covered under 40 CFR 86.1869–12(b) or 40 CFR 86.1869–12(c), NHTSA will consult with EPA regarding NHTSA's evaluation of the specific off-cycle technology to ensure its impact on fuel economy and the suitability of using the off-cycle technology to adjust the fuel economy performance. NHTSA will provide its views on the suitability of the technology for that purpose to EPA. NHTSA's evaluation and review will consider:

(1) Whether the technology has a direct impact upon improving fuel economy performance;

(2) Whether the technology is related to crash-avoidance technologies, safety critical systems or systems affecting safety-critical functions, or technologies designed for the purpose of reducing the frequency of vehicle crashes.

(3) Information from any assessments conducted by EPA related to the application, the technology and/or related technologies; and

(4) Any other relevant factors.

[42 FR 13807, Mar. 14, 1977, as amended at 43 FR 12013, Mar. 23, 1978; 77 FR 63194, Oct. 15, 2012]

APPENDIX TO PART 533—EXAMPLE OF CALCULATING COMPLIANCE UNDER § 533.5(i)

Assume a hypothetical manufacturer (Manufacturer X) produces a fleet of light trucks in MY 2012 as follows: